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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
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13 **MARCO ANTONIO CARRALERO, AN**
14 **INDIVIDUAL, ET AL.;**

15 Plaintiffs,

16 v.

17 **ROBERT BONTA, IN HIS OFFICIAL**
CAPACITY AS ATTORNEY GENERAL OF
18 **THE STATE OF CALIFORNIA,**

19 Defendant.
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Case No. 8:23-cv-01798-MRA (ADSx)

**JOINT CASE MANAGEMENT
STATEMENT**

Courtroom: 10B

Judge: Hon. Mónica Ramírez
Almadani

Action Filed: September 26, 2023

JOINT CASE MANAGEMENT STATEMENT

Pursuant to the Court’s Reassignment Order (Dkt. No. 55), the parties submit the following Joint Case Management Conference Statement:

a) The date the case was filed. September 26, 2023.

b) A list identifying or describing each party. The individual Plaintiffs are Marco Antonio Carralero, Garrison Ham, and Michael Schwartz. The organizational Plaintiffs are Orange County Gun Owners PAC, San Diego County Gun Owners PAC, California Gun Rights Foundation, and Firearms Policy Coalition, Inc. Defendant Rob Bonta is the Attorney General of the State of California and the State’s chief law enforcement officer.

c) A brief summary of all claims, counter-claims, cross-claims, or third-party claims.

Plaintiffs’ statement: Plaintiffs wish to carry their firearms in locations that California Senate Bill No. 2 (SB 2) now treats as “sensitive places” where carrying a firearm violates the Penal Code. Plaintiffs allege that California SB 2’s designation of these many new allegedly “sensitive places” violates their Second Amendment protected rights. Plaintiffs further challenge SB 2’s new rule banning the carriage of firearms in “any . . . privately owned commercial establishment that is open to the public, unless the operator of the establishment clearly and conspicuously posts a sign” allowing the carry of firearms.

Defendant’s statement: Defendant contends that SB 2’s firearm restrictions in the designated sensitive places and other provisions challenged in this lawsuit are constitutional.

There are no counter-claims, cross-claims, or third-party claims as of yet in this case.

d) A brief description of the events underlying this action.

Plaintiffs’ statement: Following the decision in *NYSRPA v. Bruen*, California enacted SB 2, which designated several new “sensitive places” banning the carriage

1 of firearms. SB2 also now prohibits the carriage of firearms in privately owned
2 commercial establishments open to the public without the affirmative consent of the
3 property owner. Plaintiffs contend that SB 2's changes violate their Second
4 Amendment protected rights.

5 *Defendant's statement:* Defendant contends that the challenged provisions in
6 SB 2 are constitutional.

7 e) A description of the relief sought and the damages claimed with an
8 explanation of how damages have been (or will be) computed. Plaintiffs seek
9 declaratory relief, preliminary and permanent injunctive relief, and costs of suit
10 (including reasonable attorney's fees). Plaintiffs are not seeking damages at this time.

11 f) The status of discovery, including any significant discovery
12 management issues, as well as the applicable cut-off dates. Discovery has not
13 commenced in this case, nor has any discovery cut-off been set.

14 g) A procedural history of the case, including any previous motions that
15 were decided or submitted, any ADR proceedings or settlement conferences that have
16 been scheduled or concluded, and any appellate proceedings that are pending or
17 concluded. After filing the Complaint, Plaintiffs moved for a preliminary injunction,
18 Defendant opposed that motion, and, after a hearing on the motion on December 20,
19 2023, the court issued the preliminary injunction Plaintiffs requested. Dkt. No. 42.
20 Defendant appealed the issuance of the preliminary injunction and filed an
21 emergency motion to stay the injunction pending appeal, 9th Cir. Case No. 23-4354,
22 Dkt. Nos. 1, 2, which Plaintiffs opposed, 9th Cir. Dkt. No. 7. The motions panel
23 granted an administrative stay of the preliminary injunction on December 30, 2023,
24 9th Cir. Dkt. No. 10, and the merits panel dissolved that stay on January 6, 2024, 9th
25 Cir. Dkt. No. 12. The Ninth Circuit ordered expedited briefing on the appeal, oral
26 argument was held on April 11, 2024, and the appeal is now under submission. 9th
27 Cir. Dkt. No. 64.
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1 On February 5, 2024, while the appeal of the preliminary injunction was
2 pending, the district court entered a joint stipulation from Plaintiffs and Defendant
3 extending the deadline to file a responsive pleading to the Complaint until 21 days
4 after the Ninth Circuit issues a decision on the appeal of the preliminary injunction.
5 Dkt. No. 53.

6 h) A description of any other deadlines in place before reassignment. There
7 were no deadlines in place prior to reassignment.

8 i) Whether the parties will consent to a magistrate judge for trial. The
9 parties do not consent to a magistrate judge for trial.

10 j) A statement from each parties' counsel indicating they have (1)
11 discussed the magistrate judge consent program with their respective client(s),
12 and (2) met and conferred to discuss the consent program and selection of a
13 magistrate judge. Defendant's counsel has discussed the magistrate judge consent
14 program with its client. Plaintiffs' counsel has discussed the magistrate judge consent
15 program with its clients. Counsel for Plaintiffs and Defendant have met and conferred
16 to discuss the consent program and selection of a magistrate judge.
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1 Dated: June 27, 2024

Respectfully submitted,

2 ROB BONTA
3 Attorney General of California
4 MARK R. BECKINGTON
5 Supervising Deputy Attorney General

6 /s/ Todd Grabarsky
7 TODD GRABARSKY
8 Deputy Attorney General
9 *Attorneys for Defendant Rob Bonta in*
10 *his official capacity as Attorney*
11 *General of the State of California*

9 Dated: June 27, 2024

Respectfully submitted,

10 BENBROOK LAW GROUP, PC

11
12 /s/ Stephen M. Duvernay
13 BRADLEY A. BENBROOK
14 STEPHEN M. DUVERNAY
15 *Attorneys for Plaintiffs*